

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDGAR RODRIGUEZ IBARRA,
JUAN MANUEL GOMEZ-RUIZ,
JUAN CUATRO-REVELO,
JENNIFER KLEPACH,
GARY POLSTON, and
FRANCISCO RODRIGUEZ-PEREZ,
aka SANTOS BARRAGAN-PEREZ,
aka JOSE SANDOVAL MALDANADO,

Defendants.

CASE NO. CR13-5597BHS

**ORDER GRANTING UNITED STATES'
MOTION FOR A PROTECTIVE ORDER
TO MAINTAIN CUSTODY OF
PROPERTY**

This matter comes before the Court upon motion of the United States for a protective order, pursuant to Title 21, United States Code, Section 853(e)(1)(A) and Title 18, United States Code, Section 983(a)(3)(C), to maintain custody of certain property named for forfeiture in the Superseding Indictment filed in this matter on November 14, 2013. Having reviewed the United States' motion, the Court finds:

The property to which this Order refers to is as follows:

- a. \$10,617.00 in U.S. currency, more or less, seized from the residence of JUAN MANUEL GOMEZ-RUIZ on or about October 29, 2013;

- b. \$9,019.97 in U.S. currency, more or less, seized from the residence of FRANCISCO RODRIGUEZ-PEREZ, on or about October 29, 2013;
- c. \$970.00 in U.S. currency, more or less, seized from the residence of JUAN CUATRO-REVELO, on or about October 29, 2013;
- d. One (1) 2006 black Mercedes Benz C230, Washington license plate: AIX5559, VIN: WDBRF52H66F730974, seized from JENNIFER KLEPACH, on or about October 29, 2013;
- e. One (1) 9mm Semi-Automatic Taurus PT92AF Pistol, serial number: THJ48588, seized from a Dodge Durango, California license plate: 5ACA466;
- f. One (1) .16 gauge Mossberg pump shotgun, model 190KA (serial number obliterated);
- g. One (1) gray 2004 Ford F-150, Washington license plate: B37517R, VIN: 1FTPW12584KA67578, seized from JUAN MANUEL GOMEZ-RUIZ; and
- h. One (1) .45 caliber Smith and Wesson handgun, serial number: MPY4471.

The Property, as described above, has been named in the November 14, 2013 Superseding Indictment in this case as subject to forfeiture, and more particularly described in the Government's First Bill of Particulars filed February 26, 2014. The Property is currently in the custody of the United States Marshal's Service and Drug Enforcement Administration, and is subject to administrative forfeiture notice and claim proceedings under Title 18, United States Code, Section 983.

The United States is entitled to a protective order pursuant to Title 21, United States Code, Section 853(e)(1)(A) based on the fact that the Property is included in the Superseding Indictment, which alleges that, upon conviction, the Property is subject to forfeiture. This demonstrates the probable cause necessary for the continued restraint and custody of the Property pending conclusion of the criminal forfeiture proceedings in this case and pending further order of the Court.

1 It is therefore

2 **ORDERED AND ADJUDGED:**

- 3 1. The United States' motion for a protective order is GRANTED.
- 4 2. The Property, as identified above, shall remain in the custody of the United States
- 5 Marshal's Service and Drug Enforcement Administration pending conclusion of
- 6 the criminal forfeiture proceedings and further order of this Court.
- 7 3. The Clerk is ordered to send copies of this Order to counsel for all parties of
- 8 record.

9 DATED this 24th day of March, 2014.

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BENJAMIN H. SETTLE
United States District Judge

Presented by:

s/Matthew H. Thomas

MATTHEW H. THOMAS

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